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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/883,751	06/18/2001	Christopher David Hancock	06576.105034 (MS171312.1)	1738
20786	7590	09/08/2004	EXAMINER	
KING & SPALDING LLP 191 PEACHTREE STREET, N.E. ATLANTA, GA 30303-1763			CAMPBELL, JOSHUA D	
			ART UNIT	PAPER NUMBER
			2179	

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/883,751	<b>Applicant(s)</b> HANCOCK, CHRISTOPHER DAVID	
	<b>Examiner</b> Joshua D Campbell	<b>Art Unit</b> 2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 June 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is responsive to communications: Application filed on 06/18/2001.
2. Claims 1-21 are pending in this case. Claims 1, 6, 11, and 17 are independent claims.

### ***Drawings***

3. The drawings were received on 06/18/2001. These drawings are accepted.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 2, 4, 5, and 17-19 are rejected under 35 U.S.C. 102(e) as being anticipated by King et al. (hereinafter King, US Patent Number 6,161,114, issued on December 12, 2000).

**Regarding independent claims 1 and 5**, King discloses a method in which media is located for use in web pages by a software module (column 5, line 55-column 6, line 51 of King). King also discloses a method in which definition for types of media necessary for use in the web pages are made (column 2, line 63-column 3, line 54 of King). King also discloses a method in which the media types are stored for organizing

media files that are accessible by clients through a network (Internet) (column 5, line 55-column 6, line 36 of King).

**Regarding dependent claim 2**, King discloses a method in which determinations for which types of media are necessary for use in the web pages are made (column 2, line 63-column 3, line 54 of King).

**Regarding dependent claim 4**, King discloses a method in which the media is stored on a storage device accessible to clients (column 11, line 1-column 12, line 62 of King).

**Regarding independent claim 17**, King discloses a method in which a media-managing module may be used by a client to create requests for media in a client server network (internet) (column 5, line 55-column 6, line 36 of King). The module responds to these requests, and media and data are stored in a storage device coupled to the server (column 11, line 1-column 12, line 62 of King).

**Regarding dependent claim 18**, King discloses a method in which the module supports the search for media and the insertion of media references into web pages (column 11, line 1-column 12, line 62 of King).

**Regarding dependent claim 19**, King discloses a method in which the module works with a web authoring module operating on the client computer (column 5, line 55-column 6, line 36 of King).

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 6-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Estrada et al. (hereinafter Estrada, US Patent Number 6,732,148, filed on December 28, 1999).

**Regarding independent claims 6 and 10**, Estrada discloses a method in which a search is conducted for a media element. If the media element is located a unique identifier is inserted into the web page (column 21, line 35-column 22 line 4 of Estrada). If the media element is not found a spec is created for the needed media element (column 21, line 35-column 22 line 4 of Estrada). Estrada does not disclose that the spec is stored for later retrieval. However, Estrada discloses that it is common practice to store specs to be retrieved and fulfilled by graphic artists (column 4, lines 5-40 of Estrada). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the method of Estrada and stored the spec because it was well known in the art at the time the invention was made that stored specifications were used by graphic artists to fulfill media requests.

**Regarding dependent claim 7**, Estrada discloses a method in which a spec corresponds to a graphic element; by definition a graphic element is a "screen shot" (column 4, lines 5-40 of Estrada).

**Regarding dependent claim 8,** Estrada discloses a method in which media requests are placed during the design process, and the design process may continue (i.e. continuing to write text) once a spec for a request is made (column 21, line 35-column 22 line 4 of Estrada).

**Regarding dependent claim 9,** Estrada discloses a method in which specs can be changed to correspond with new requirements (updates) (column 4, lines 5-40 of Estrada).

**Regarding independent claims 11 and 16,** Estrada discloses a method in which an unfulfilled spec is selected and the media element is obtained for the spec and associated with spec (column 21, line 35-column 22 line 4 of Estrada). Estrada does not disclose that a report is generated containing the unfulfilled specs. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have generated a report to present unfulfilled specs to a graphic artist because Estrada disclosed that an artist must receive the specs () and a report was a well known method of presenting a set of data to a user.

**Regarding dependent claim 12,** Estrada discloses a method in which the necessary media element is created (column 21, line 35-column 22 line 4 of Estrada).

**Regarding dependent claim 13,** Estrada discloses a method in which the media that is requested is located and imported into the module (column 21, line 35-column 22 line 4 of Estrada).

**Regarding dependent claim 14,** Estrada discloses a method in which a media element is linked with a spec it fulfills (column 21, line 35-column 22 line 4 of Estrada).

**Regarding dependent claim 15**, Estrada discloses a method in which the module checks for all the media elements of the web page (column 22, line 34-column 23, line 31 of Estrada).

8. Claims 3, 20, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over King et al. (hereinafter King, US Patent Number 6,161,114, issued on December 12, 2000) as applied to claims 1 and 17 above, and further in view of Estrada et al. (hereinafter Estrada, US Patent Number 6,732,148, filed on December 28, 1999).

**Regarding dependent claim 3**, King does not disclose the format types that may be used. However, Estrada discloses a method in which one of the format types that may be used is gif (column 4, lines 5-40 of Estrada). It would have been obvious to one of ordinary skill in the art to have combined the methods of King and Estrada because it was well known in the art at the time the invention was made that a gif was a type of image media as used in King.

**Regarding dependent claim 20**, King does not disclose a method in which a storage device stores requests for media. However, Estrada discloses that requests for media may be stored until the requests may be fulfilled by an artist (column 21, line 35-column 22 line 4 of Estrada). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of King and Estrada because it would have allowed a request that can not be immediately fulfilled to be stored until fulfillment is possible.



**Regarding dependent claim 21**, King does not disclose a method in which a request involves images and textual descriptions. However, Estrada discloses a method in which a request specification would contain a corresponding image and a textual description of how it should be changed (column 4, lines 5-40 of Estrada). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of King and Estrada because it would have allowed for a more specific request.

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US Patent Number 5,895,476

US Patent Number 6,088,710

US Patent Number 6,594,664

US Patent Number 6,636,889

US Patent Number 6,728,762

US Patent Number 6,748,425

US Patent Number 6,772,393


US Patent Application Publication Number 2003/0142126

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua D Campbell whose telephone number is (571) 272-4133. The examiner can normally be reached on M-F (8:00 AM - 4:30 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JDC  
September 2, 2004



STEPHEN S. HONG  
PRIMARY EXAMINER